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# MEMO ENDORSED

May 16, 2023

**VIA ECF**

The Honorable Edgardo Ramos  
United States District Court for the Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, NY 10007

Re: *Perrigo Pharma International Designated Activity Co., v. Mead Johnson & Co. LLC*,  
Case No. 23 Civ. 00008 (ER)

Dear Judge Ramos:

We represent Defendant Mead Johnson & Co. LLC (“Defendant”) in the above-referenced action. Pursuant to Rule I.A of Your Honor’s Individual Practices, we respectfully submit this letter-motion for permission to file Defendant’s motion to dismiss the Amended Complaint and related memorandum of law (together, the “Motion to Dismiss”) in redacted form and to file the unredacted versions of the same under seal.

The Motion to Dismiss contains confidential and commercially sensitive business information of both Perrigo Pharma International Designated Activity Co. (“Plaintiff”) and Defendant, and both parties would be disadvantaged if this information were to be made publicly available. See, e.g., *In re Parmalat Sec. Litig.*, 258 F.R.D. 236, 244 (S.D.N.Y. 2009) (“Notwithstanding the presumption of public access to judicial records, courts may deny access to records that are ‘sources of business information that might harm a litigant’s competitive standing.’” (quoting *Nixon v. Warner Commc’ns, Inc.*, 435 U.S. 589, 598 (1978))). The Court previously granted redactions of the same type at the requests of both Plaintiff and Defendant. (See, e.g., Dkt. Nos. 18, 37, 41, 46, 51, 59, 68, 74, 79, 86, 92.) The Court also sealed the transcript of the January 9, 2023 hearing on Plaintiff’s Application for a Temporary Restraining Order, which reflected that the parties had reached an agreement regarding Plaintiff’s application for injunctive relief (see Docket (Jan. 9, 2023 Minute Entry)), and the transcript of the February 10, 2023 hearing on Plaintiff’s Renewed Application for a Temporary Restraining Order (see Dkt. No. 62), which Your Honor denied.

Pursuant to Your Honor’s Individual Practices and the ECF Rules & Instructions for the United States District Court for the Southern District of New York, the Motion to Dismiss, with redactions, is filed herewith on the public docket, and a second version of the same, with the redactions highlighted, is filed herewith under seal.

Respectfully submitted,

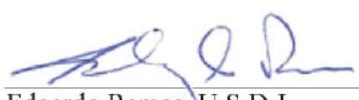
/s/ Andrew Ditchfield

Andrew Ditchfield

cc: All Counsel of Record (via ECF)

**Electronic Filing**

Mead Johnson's request to file its motion to dismiss and related memorandum of law in redacted form, and to file the unredacted versions of the same under seal, is granted. SO ORDERED.

  
Edgardo Ramos, U.S.D.J.  
Dated: May 17, 2023  
New York, New York